

REMARKS

Claims 1-20 are pending in the application. Claims 11-20 stand rejected under 35 U.S.C. § 101. Claims 6 and 17 have been amended to correct a typographical error. Claims 1 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0099567 A1 issued to Joao. Claims 2 and 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,785,718 B2 issued to Hancock et al. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view Hancock and further in view of U.S. Patent Publication No. 2004/0030572 A1 issued to Campbell et al. Claims 7, 8 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent Publication No. 2002/0120533 A1 issued to Wiesenmaier et al. Claims 9, 10, 13, and 15-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of Wiesenmaier and Hancock. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of Wiesenmaier and Hancock, and further in view of Hancock and Campbell. Applicants respectfully traverse. Applicants respectfully request reconsideration and full allowance of all pending claims.

Applicants respectfully traverse the rejections under Section 101. Applicants note that Claim 11 recites physical transformation and steps in that freight claims are received and resolved. Similarly, Claim 18 recites building products. Applicants respectfully request that the Examiner withdraw the rejections under Section 101.

Claim 1 recites, in part, “a customer interface operable to accept delivery reports from customers.”

Claim 11 recites, in part, “receiving delivery reports from customers.”

Joao cannot make obvious Claims 1 and 11 because Joao fails to teach, disclose or suggest all elements recited by Claims 1 and 11. For example, Joao fails to teach, disclose or suggest “a customer interface operable to accept delivery reports from customers” as recited by Claim 1 or “receiving delivery reports from customers” as recited by Claim 11. The Examiner relies on paragraph 187 of Joao as disclosing this element, however, paragraph 187 addresses

insurance purchased by a sender of a package, not a customer receiver of the package. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of Claims 1-17.

Claim 18 recites, in part, “automatically re-building the products associated with a response of lost or damaged.”

Joao, Wiesenmaier and Hancock cannot make obvious Claim 18 because Joao, Wiesenmaier and Hancock fail to teach, disclose or suggest all elements recited by Claim 18. For example, Joao, Wiesenmaier and Hancock fail to teach, disclose or suggest “automatically re-building the products associated with a response of lost or damaged.” The Examiner bases the rejection for this element on column 10 lines 19-23 of Hancock. Applicants respectfully traverse. Hancock at element 520 identifies discrepancies where orders were not filled or shipped and therefore cannot teach, disclose or suggest automatically re-building products that were shipped but were lost or damaged. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection and allow Claims 18-20. Applicants note that Claim 13 is allowable for the same reasons set forth with respect to Claim 18.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at 512-338-9100.

The Commissioner is authorized to deduct any additional fees which may be necessary and to credit any overpayment to Deposit Account No. 502264.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on October 9, 2008.

/Robert W. Holland/

Attorney for Applicant(s)

Respectfully submitted,

/Robert W. Holland/

Robert W. Holland
Attorney for Applicant(s)
Reg. No. 40,020